

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 139 OF 2019  
(Shri Madhukar R. Dusane V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 30.04.2019.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
8. S.O. to 30.04.2019.
9. Steno copy and Hamdast is allowed to both parties.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 172 OF 2019  
(Dr. Kishor A. Deshmukh V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. In view of subsequent developments, O.A. is disposed of as withdrawn with liberty to file fresh O.A. to challenge the order dated 25.02.2019. There shall be no order as to costs.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 181 OF 2019  
(Shri Rahul E. Mundake V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Advocate for applicant states that the applicant shall be satisfied with a direction that applicant's prayer made before the Government be considered by the Government sympathetically while considering similar request by the Government servants in his cadre.

3. As applicant's request being reasonable, O.A. is disposed of with direction that applicant's request for accommodation be decided along with consideration of similar request of officers in applicant's cadre. There shall be no order as to costs.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 111 OF 2019  
(Shri Kailas S. Mogale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Shri S.D. Dhongde, learned Advocate for the applicant (**Leave Note**).

Heard Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 07.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 185 OF 2019  
(Dr. Sanjay A. Joshi V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 07.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 186 OF 2019  
(Dr. Subhash B. Jadhav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 07.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 427/2017 in O.A. St. No. 1525/2017  
(Shri Rama N. Bhuktar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.03.2019.

**CHAIRMAN**

kpB ORAL ORDER 28.02.2019 C.



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 435/2017 in O.A. St. No. 1550/2017  
(Shri Bapurao S. Dummar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 476/2017 in O.A. St. No. 1738/2017  
(Shri Maruti S. Tambe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 477/2017 in O.A. St. No. 1736/2017  
(Shri Dagdu B. Raut V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 478/2017 in O.A. St. No. 1740/2017  
(Shri Bhimrao S. Ingle V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 479/2017 in O.A. St. No. 1742/2017  
(Smt. Gunabai M. Pethe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 508/2017 in O.A. St. No. 1873/2017  
(Shri Vasant J. Joshi V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.03.2019.

**CHAIRMAN**

kpj ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 43/2018 in O.A. St. No. 54/2018  
(Shri Gangadhar K. Salve V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 71/2018 in O.A. St. No. 103/2018  
(Shri Khanderao D. Musande V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri G.J. Kore, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 26.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 100/2018 in O.A. St. No. 398/2018  
(Shri Vithal D. Savalsure V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri G.J. Kore, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 26.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 116/2018 in O.A. St. No. 443/2018  
(Shri Hallalika N. Ramchandra V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 442/2018 in O.A. St. No. 1722/2018  
(Shri Kashinath G. Ghumre V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for respondents, S.O. to 07.03.2019 for filing affidavit in reply in M.A.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. No. 62/2019 in O.A. St. No. 257/2019  
(Shri Babasaheb N. Rakte V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.S. Shelke, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 25.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 41 OF 2017  
(Shri Baburao N. Ardad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 85 OF 2018  
(Shri Rangrao D. Devare V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri P.S. Dighe, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 29.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 573 OF 2018  
(Shri Bhagwan S. Mokale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 27.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 672 OF 2018  
(Shri Rambhau G. Sontakke V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 07.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. St. No. 298/2019 in O.A. St. No. 265/2019  
(Shri Bhaskar P. Dole & Ors.V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 265 OF 2019  
(Shri Bhaskar P. Dole & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 02.05.2019.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
8. S.O. to 02.05.2019.
9. Steno copy and Hamdast is allowed to both parties.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 178 OF 2019  
(Swapnil V. Pawar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. S.O. to 7.3.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A. St. No. 365/2019 in O.A. St. No. 335/2019  
(Shri Achyut R. Kulkarni & Ors.V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 335 OF 2019  
(Shri Achyut R. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 02.05.2019.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
8. S.O. to 02.05.2019.
9. Steno copy and Hamdast is allowed to both parties.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 157 OF 2019  
(Shri Dilip B. Rajput V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.**

**DATE : 28.02.2019.**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 05.03.2019.

**CHAIRMAN**

kpb ORAL ORDER 28.02.2019 C.



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.168/2019  
(Nivrutti Hiranman Gaikwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri S.S.Kulkarni learned Advocate holding for Shri A.D.Kawre learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2 Issue notice to the respondents, returnable on 26-03-2019.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and

produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. Heard on the point of interim relief.

9. Learned P.O. was directed to produce the record.

10. Today, learned P.O. has produced copy of minutes of meeting of the Civil Services Board.

11. It is seen on perusal of the minutes of meeting of Civil Services Board that due to complaints applicant's name was considered for transfer.

12. Therefore, let the reply and record of complaints be produced along with affidavit.

13. Hence, point of interim relief is kept open.

14. S.O. to 26-03-2019 for hearing on the point of interim relief.

15. Steno copy and Hamdast is allowed to both parties.

**CHAIRMAN**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION ST. NO.388/2019  
(Kashinath Soundalkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri V.B.Wagh learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2 Issue notice to the respondents, returnable on 22-04-2019.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and

produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 22-04-2019.

9. Steno copy and Hamdast is allowed to both parties.

**CHAIRMAN**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION ST. NO.389/2019  
(Vitthal Ghane V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri V.B.Wagh learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for the respondents.

2 Issue notice to the respondents, returnable on 22-04-2019.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and

produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 22-04-2019.

9. Steno copy and Hamdast is allowed to both parties.

**CHAIRMAN**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION ST. NO.390/2019  
(Ramkisan Bagal V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri V.B.Wagh learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.

2 Issue notice to the respondents, returnable on 22-04-2019.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and

produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 22-04-2019.

9. Steno copy and Hamdast is allowed to both parties.

**CHAIRMAN**



**FARAD CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD BENCH, AURANGABAD**  
**ORIGINAL APPLICATION NO.159/2019**  
**(Ashok Manohar Gaikwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. It is seen that applicant has not represented against or in regard to rejection of medical leave.

3. It is evident that the present O.A. is premature.

4. Hence, the O.A. stands disposed of as premature with liberty to the applicant to make suitable representation with the concerned authority. No costs.

**CHAIRMAN**

YUK ORAL ORDERS 28-02-2019 AHJ

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.816/2018  
(Bhaskar Channe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri P.H.Sukale learned Advocate holding  
for Shri K.J.Suryavanshi learned Advocate for the  
applicant and Shri S.K.Shirse learned Presenting  
Officer for the respondents.

2. Learned P.O. prays for time for filing affidavit in  
reply on behalf of the respondents. Time is granted.

3. S.O. 25-04-2019.

**CHAIRMAN**

YUK ORAL ORDERS 28-02-2019 AHJ

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.167/2019  
(Pradeep Marwale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Kiran G. Salunke learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 07-03-2019.

**CHAIRMAN**

YUK ORAL ORDERS 28-02-2019 AHJ

**FARAD CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD BENCH, AURANGABAD**  
**ORIGINAL APPLICATION NO.966/2018**  
**(Suman Sidram Kamble V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Rajendra Lone learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.

2. Learned P.O. files affidavit in reply on behalf of the respondent nos.4 and 5. It is taken on record. Copy thereof has been served on the other side.

3. Learned Advocate for the applicant prays to issue fresh notice to respondent nos.1 and 2.

4. Hence, issue fresh notice to respondent nos.1 and 2, returnable on 10-04-2019.

5. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

6. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

(Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

9. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

10. S.O. to 10-04-2019.

11. Steno copy and Hamdast is allowed to both parties.

**CHAIRMAN**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**M.A.NO.65/2019 IN O.A.NO.907/2017  
(Balaji Jadhav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri R.B.Bhumkar learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.

2. This M.A. has been filed for leave to amend the O.A. by adding certain pleadings and prayers etc.

3. Leave as prayed for is granted. Amendment be carried out within a week.

4. M.A.No.65/2019 is disposed of accordingly without any order as to costs.

5. Case be listed on board after the amendment is carried out.

**CHAIRMAN**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**C.P. ST. 1066/2018 IN O.A. 380/2017  
(Dr. Prasad V. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Yishnu Dhoble, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate Shri Dhoble for applicants states that considering the affirmative action taken by the Government by issuing Government decision dated 22.2.2019 absorbing / regularizing, applicants are satisfied and Contempt Petition need not be pursued. Hence, we drop the contempt proceedings. There shall be no order as to costs.

**MEMBER (A)**

**CHAIRMAN**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**M.A. 388/2018 IN O.A. 792/2015  
(Dr. Prasad V. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Ms. Preeti Wankhade, learned Advocate for the applicants in M.A., Shri Yishnu Dhoble, learned Advocate for the applicants in O.A. no. 792/2015 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. S.O. to 7.3.2019.

**MEMBER (A)**

**CHAIRMAN**



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**O.A. 380/2017 WITH M.A. 388/2018 IN O.A. 792/2015  
(Dr. Prasad V. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Yishnu Dhoble, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents and Ms. Preeti Wankhade, learned Advocate for applicants in M.A. no. 388/2018.

2. S.O. to 7.3.2019.

**MEMBER (A)**

**CHAIRMAN**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**O.A. 572/2013  
(Smt. Vijaya B. Malave V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 7.3.2019.

**MEMBER (A)**

**CHAIRMAN**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION ST. NO.310/2018  
(Vajinath M. Karadkhele V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the Applicant, Shri N.U. Yadav, learned Presenting Officer for the Respondent Nos.1,2,4 to 6 and Shri S.D. Dhongde, learned Advocate for the Respondent No.3.

2. Issue notice returnable on 22-04-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 22.04.2019

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019

**FARAD CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD BENCH, AURANGABAD**  
**ORIGINAL APPLICATION NO.169/2019**  
**(Panduran S. Borgonkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Smt. Preeti R. Wankhade, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 30-04-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. Heard on the point of interim relief.

9. Learned P.O. for the Respondents was directed to produce the record. It is produced.

10. Perused the record. Record reveals the following:-

- (a) Civil Services Board did not consider or recommend the transfer of Applicant.
- (b) Applicant has averred in O.A. that Applicant has completed barely 5 months at his present posting.
- (C) Hon'ble Minister Revenue has proposed the transfer of Applicant without seeking views of Civil Services Board.
- (d) The note proposed by Revenue Minister contains common reasons for all 25 Transfers proposed by Hon'ble Minister, which text reads as follows:-

“मा. भारत निवडणूक आयोगाच्या निर्देशानुसार निवडणूक कामकाजाशी संबंधित सर्व रिक्त पदे भरणे अत्यावश्यक आहे ही बाब विचारात घेता तसेच वैद्यकीय/कौटुंबिक कारणे तथा प्रशासकीय कारणास्तव खालील बदलांसह प्रस्ताव मान्य करण्यात यावा:- . . . . .”

11. It is thus evident that prima-facie impugned transfer is in violation of mandatory requirement of recording reasons for mid-term and mid-tenure

transfer prescribed under Section 4 (4)(2) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (ROT Act).

12. Hence, Applicant has made out case for grant of ex-parte ad-interim relief by way of stay and injection in terms of prayer (E).

13. Hence, interim relief in terms of prayer (E) is granted which reads as follows:-

“(E) Pending the admission, hearing and final disposal of this Original Application the impugned order of transfer of the applicant dtd.25/02/2019 (Annex.A-3 issued by Resp.No.1 may kindly be stayed and the Respondents may kindly be directed to permit the applicant to discharge duties attached to his post of Sub-Divisional Officer at Kandhar in Nanded on the establishment of Resp.No.3.

(quoted from page no.13 of O.A.)

14. S.O. to 30.04.2019.

15. Steno copy and Hamdast is allowed to both sides.

**CHAIRMAN**

**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.36/2019**  
**(Dr. Sulbha B. Mulay V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondent Nos.1 to 4.

2. Shri Mahesh B. Bharaswadkar, learned Advocate for the Applicant has filed VAKALATNAMA on behalf of the Respondent No.5.

3. At the request of learned P.O. for the Respondents, S.O. to 6.3.2019 for filing reply.

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019



**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.55/2019**  
**(Bhimrao G. Bramahane V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Prakashsingh B. Patil, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 15.03.2019.

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019

**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.35/2019**  
**(Rajan B. Darange V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. At the request of the learned P.O. for the Respondents, S.O. to 25.03.2019.

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019

**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.743/2018**  
**(Bhimrao N. Kokate V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate holding for Shri Shamsundar B. Patil, learned Advocate for the Applicant and Smt. M.S. Patni, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent Nos.2 to

4. The same is taken on record and copy thereof has been served on the Applicant.

3. At the request of the learned Advocate for the Applicant, S.O. to 20.03.2019.

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019

**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.823/2018**  
**(Shubham H. Myadarwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri S.P. Sonwane, learned Advocate holding for Shri G.J. Karne, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. At the request of the learned P.O. for the Respondents, S.O. to 28.03.2019.

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019

**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.795/2018**  
**(Kailas P. Shirsath V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Estling S. Murge, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. At the request of the learned P.O. for the Respondents, S.O. to 03.04.2019.

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019

**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.710/2018**  
**(Rajendra S. More V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Prakashsingh B. Patil, learned Advocate for the Applicant and Smt. M.S. Patni, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 15.03.2019.

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019

**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.658/2018**  
**(Raosaheb S. Bangar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Ravi R. Bangar, learned Advocate for the Applicant, Shri M.P. Gude, learned Presenting Officer for the Respondent No.1 and Shri Suresh D. Dhongde, learned Advocate for the Respondent Nos.2 & 3.

2. At the request of the learned Advocate for the Applicant, S.O. to 03.04.2019.

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019

**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.749/2017**  
**(Mohammad Abdul Hai V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Jayant B. Choudhary, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 11.04.2019.

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019



**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.296/2019**  
**(Ramesh G. Verule V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 02-05-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. It shall be highly appreciated if respondents take action on Applicant's representations.

9. S.O. to 02.05.2019

**CHAIRMAN**

**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.28/2019**  
**(Suresh G. Sadavarte V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri V.P. Kadam, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 11-04-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 11.04.2019

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019

**CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD FARAD BENCH, AURANGABAD**  
**ORIGINAL APPLICATION NO.187/2019**  
**(Shri Sunil V. Yadav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. By consent of both the parties, S.O. to 7.3.2019.

**CHAIRMAN**

SAS ORAL ORDER 28-02-2019

**FARAD CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD BENCH, AURANGABAD**  
**ORIGINAL APPLICATION NO. 76 OF 2019**  
**(Shri Nilesh S. Badgajar Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri S.R. Patil, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 18.04.2019.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

**8. The concerned respondents are directed to file appointment order issued to Mr. Wanare Manojkumar Mahavir, who was selected from OBC category along with affidavit in reply.**

9. S.O. to 18.04.2019.

10. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 705 OF 2018  
(Shri Akbar Khan Nadar Khan Pathan Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of both the sides, S.O. to 01.03.2019.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 28.02.2019-HDD



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**O.A.NOS. 603 TO 609 & 780 ALL OF 2017  
(Shri Jaideep A. Limbale & Ors. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Avinash Deshmukh & Smt. Vidya Taksal, learned Advocate holding for Ms. Preeti Wankhade, learned Advocates for the respective applicants in respective cases and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these cases.

2. Learned Advocate for the applicants has filed a copy of Resolution dated 8<sup>th</sup> February, 2019 issued by the concerned respondent and submits that the decision regarding 16 employees facing the similar difficulty has been resolved. The copy of the said resolution is taken on record and marked as document 'X' for the purposes of identification and the same is served on the other side.

3. Learned Presenting Officer submits that he would take instructions on the issue as to whether the similar exercise can be carried regarding the present applicants.

**:: - 2 - ::**

**O.A.NOS. 603 TO 609 &  
780 ALL OF 2017**

4. At the request of learned Presenting Officer, S.O. to 12.06.2019 for reporting further progress. Interim relief, if any granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 28.02.2019-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 744 OF 2018  
(Anjana Shankar Girnare Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri H.A. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer points that even if there have been any failure in online depositing the fees though not admitted, there was a second chance for the applicant for verifying the details as to whether the amount is deposited. He adverts the attention of the Tribunal to paragraph No. 15 of the affidavit in reply filed on behalf of respondent No. 2, page-28. The relevant portion of paragraph No. 15 reads as under: -

“.....  
..... However the applicant though cautioned, failed to check her profile before the last date of submission of application i.e. 11/09/2018. In fact applicant admitted that she checked the profile on 14/09/2018 i.e. after the closing date.”

**O.A. NO. 744 OF 2018**

He submits that the applicant did not avail second chance of correcting the mistake, if any and, therefore, the present original application would not be tenable.

3. Learned Advocate for the applicant seeks time to take instructions from the applicant regarding withdrawal, if any of the O.A. At his request, S.O. to 06.03.2019 for making statement on the above line.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 28.02.2019-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 461 OF 2018  
(Shri Pravin M. Honule Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Shri Sujeet D. Joshi, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Since nobody appears for the applicant, S.O. to 11.03.2019.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 28.02.2019-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 872 OF 2018  
(Shri Arun M. Gir Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Arvind G. Ambetkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer has filed a copy of judgment dated 15.02.2018 delivered by the Hon'ble Supreme Court in the case of **KURUKSHETRA UNIVERSITY VS. PRITHVI SINGH [C.A. NO. 3585/2008]** and the same is taken on record and marked as document 'X' for the purposes of identification.

3. Both sides are at liberty to file short synopsis and further case laws, if any.

4. Reserved for orders.

5. It may be filed on or before 11.03.2019.

6. S.O. to 11.03.2019 for filing written notes of arguments, short synopsis & case laws, if any.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 28.02.2019-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 182 OF 2019  
(Dr. Devidas L. Lavhate Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 06.03.2019.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 28.02.2019-HDD



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 171 OF 2019  
(Dr. Vaishali R. Jadhav Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 22.04.2019.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

**O.A. NO. 171 OF 2019**

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 22.04.2019.

9. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 149 OF 2019  
(Dr. Sumant P. Shastri Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of both the sides, S.O. to 07.03.2019.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 28.02.2019-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**O.A.NOS. 158 & 177 BOTH OF 2019  
(Shri Bhagwat M. Gaikwad & Anr. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 28.02.2019**

**ORAL ORDER :**

Heard Shri Girish N. Kulkarni (Mardikar), learned Advocate for the applicants in both these cases and S/Shri M.S. Mahajan & V.R Bhumkar, learned Chief Presenting Officer & Presenting Officer for the respondents in respective cases.

2. Learned Advocate for the applicant has filed a true copy of the judgment dated 30<sup>th</sup> November, 2018 delivered by this Tribunal in group of cases including O.A. No. 444/2018 and the same is taken on record and copy thereof has been served on the other side.

3. In paragraph No. 4 of the aforesaid judgment the statement of respondent No. 3 i.e. Collector, Jalna made in the affidavit in reply was quoted. The paragraph No. 4 reads as under: -

*“4. Shri Deshmukh, learned Advocate holding for Shri Swapnil A. Deshmukh, learned Advocate for the applicants submits that during the period of getting promotion and issuing of show cause notices or passing of impugned*

**O.A.NOS. 158 & 177 BOTH OF 2019**

*order of reversion, the applicants in O.A. nos. **444, 445, 446, 447, 448, 449 and 450 all of 2018** had acquired the requisite qualification in typing. He also points towards the averments made by the res. no. 3 in his affidavit in reply at para 16 and submits that the res. no. 3 is also of the opinion that the fresh promotions of these applicants would require to be made from the date they acquired the requisite qualification. The submission of the res. no. 3 in the affidavit in reply at para no. 16 is as under :-*

*“16. ... The inter-se communication dtd. 4.6.2018 addressing to this office in the same line that, the employees those who do not fulfill the requisite qualification of promotion at the relevant time ought to have been reverted and such reverted candidate ought to have given effect of promotion from the date of acquisition of requisite qualification for promotion (including Typewriting Certificate). It is further clarified that promotions which was effected from the period 2006 to 2016 that deemed date of promotion has to be awarded to the concerned eligible employee in Class – III cadre from the date of their acquisition of requisite qualification as per the number of post falls vacant in the year 2016. ....”*

4. In the circumstances, in the present case the respondent No. 1 i.e. the Collector, Osmanabad is directed to go through the statement made by the Collector, Jalna, as recorded in the earlier judgment

**O.A.NOS. 158 & 177 BOTH OF 2019**

quoted above and to see as to whether similar corrective steps can be taken in the present case. In case, similar corrective steps are taken then report regarding the same shall be filed on record. If for any valid reason respondent No. 1 comes to the conclusion that no corrective steps can be taken on the line of the above steps taken by the Collector, Jalna then a short affidavit explaining the reasons be filed on record.

5. In view of the above, issue notices to the respondents, returnable on 03.04.2019.

6. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

7. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

9. The service may be done by hand delivery, speed post, courier and acknowledgment be

**O.A.NOS. 158 & 177 BOTH OF 2019**

obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

10. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

**11. In view of the fact that both the applicants in the meantime qualified for the post, presently, without going into the merits of the present cases, status quo as regards the post held by the present applicants is hereby granted until further orders.**

12. S.O. to 03.04.2019.

13. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 28.02.2019-HDD